

## **REMARKS**

In view of the above amendments and the following remarks, reconsideration of the rejections and further examination are requested. Upon entry of this amendment, claims 21 and 22 are added, leaving claims 1-22 pending with claims 1 and 16 being independent. No new matter has been added.

This amendment is supplemental to the amendment filed January 21, 2010. The arguments presented in the January 21, 2010 amendment are restated herein for the Examiner's convenience.

### ***Interview***

Applicants appreciate the interview granted by the Examiner. In the interview, the Examiner stated further defining the outlet pipe as including a right angle bend would overcome the cited prior art. Therefore, claims 21 and 22, dependent from independent claims 1 and 16, respectively, have been added that recite such subject matter.

### ***Rejections Under 35 U.S.C. §102(b)***

Claims 1-15 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Ide (U.S. 6,361,290).

Applicants submit that the claims as now pending are allowable over the cited prior art. Specifically, amended independent claim 1 recites a hermetic compressor comprising a gas flow forming part forming a gas flow that enables gas to flow in a constant direction in a sound deadening space by one end opening of an outlet pipe disposed adjacent to a first surface of the sound deadening space being open so that the gas flowing into a compression chamber from the one end opening of the outlet pipe flows and circulates in a constant direction along the first surface and by opening one end opening of an inlet pipe at a place in which the gas flows into the sound deadening space.

Such a structure enables suppression of the inflow of oil to the compressing chamber without any special material.

The cited prior art fails to disclose or render obvious such a compressor. In particular, Ide discloses a suction muffler that comprises two components made of resin and that is manufactured using ultrasonic welding. However, Ide clearly fails to show a gas flow forming

part that has a structure that enables gas to flow in a constant direction in a sound deadening space. That is, Ide fails to disclose that one end opening of an outlet pipe disposed adjacent to a first surface of the sound deadening space is open so that the gas flowing into a compression chamber from the one end opening of the outlet pipe flows and circulates in a constant direction along the first surface.

Moreover, there is no reasoning in the prior art to modify Ide such that it would have rendered claim 1 obvious. Therefore, Applicants submit that independent claim 1 and its dependent claims are allowable over the cited prior art.

Claims 16-20 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Lee (U.S. 2004/0179955).

Applicants submit that the claims as now pending are allowable over the cited prior art. Specifically, amended independent claim 16 recites a hermetic compressor wherein a gas flowing into a compression chamber from an internal opening of an outlet pipe flows and circulates in a constant direction along one wall of a top wall, bottom wall and side walls of a sound deadening space by opening the internal opening of the outlet pipe adjacent to the one wall, and an internal opening of an inlet pipe opens at a place in which the gas flows into the sound deadening space so as to constitute a gas flow forming part that causes a flow of the refrigerant gas along a bottom part of the sound deadening space in a constant direction toward an oil discharge opening to cause the oil in the sound deadening space to pool at the oil discharge opening.

Such a structure enables suppression of the inflow of oil to the compressing chamber without any special material.

The cited prior art fails to disclose or render obvious such a compressor. In particular, while Lee discloses a suction muffler having a structure for converting a flowing motion of the refrigerant into a spiral flowing motion, the Lee structure is distinct from the structure recited in claim 16 of the present application. That is, Lee fails to disclose that a refrigerant gas flow flows in a constant direction along one wall of a top wall, a bottom wall and the side walls of a sound deadening space by opening the internal opening of the outlet pipe adjacent to the one wall, and an internal opening of an inlet pipe opens at a place in which the gas flows into the sound deadening space, as recited in claim 16 of the present application.

Moreover, there is no reasoning in the prior art to modify Lee such that it would have rendered claim 16 obvious. Therefore, Applicants submit that independent claim 16 and its dependent claims are allowable over the cited prior art.

***New claims 21 and 22***

Applicants submit that since new claims 21 and 22 are dependent from claims 1 and 16, respectively, claims 21 and 22 are allowable for the reasons set forth above. Moreover, as discussed with the Examiner, the cited prior art fails to disclose an outlet pipe with a right angle bend, as recited in claim 21 and 22.

Applicants further submit that there is no reasoning in the prior art to modify the cited prior art such that it would have rendered claims 21 and 22 obvious. In fact, any such modifications would involve improper hindsight reasoning.

***Conclusion***

In view of the foregoing amendments and remarks, all of the claims now pending in this application are believed to be in condition for allowance. Reconsideration and favorable action are respectfully solicited.

Should the Examiner believe there are any remaining issues that must be resolved before this application can be allowed, it is respectfully requested that the Examiner contact the undersigned by telephone in order to resolve such issues.

Respectfully submitted,

Ko INAGAKI et al.

/Jeffrey J. Howell/  
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By \_\_\_\_\_  
Jeffrey J. Howell  
Registration No. 46,402  
Attorney for Applicants

JJH/ekb  
Washington, D.C. 20005-1503  
Telephone (202) 721-8200  
Facsimile (202) 721-8250  
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